

Docket No. EN9-97-075US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Downes, Jr. *et al.*

Group Art Unit: 3729

Filed: 2/5/02

Examiner: Chang, Rick Kiltae

Serial No.: 10/067,551

Title: **ELECTRONIC PACKAGE WITH HIGH DENSITY INTERCONNECT LAYER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESTRICTION ELECTION

This paper is being filed in response to the Restriction mailed March 16, 2004.

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RESTRICTION ELECTION

In response to the Restriction Requirement dated March 16, 2004, Applicants hereby provisionally elects Group I, claims 14-35, drawn to a method of making a multi-layered interconnect structure with a metal core, classified in class 29, subclass 852. This election is made with traverse. Applicants note that unelected claims 36-38 were previously cancelled and rewritten as claims 39-41. Therefore, the Examiner's reference to Group II as consisting of claims 36-38 is confusing. Thus, Applicants will make reference *infra* to claims 39-41 as being the claims of Group II, since it makes no sense for Group II to consist of previously-cancelled claims. Accordingly, Applicants hereby reserve the right to file a divisional application in connection with unelected claims 39-41.

With regard to the Restriction Requirement, Applicants respectfully submit that the subject matter of all claims 14-35 and 39-41 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Applicants respectfully request that the Examiner give reconsideration to removing the Restriction Requirement, because the Examiner made an incorrect assumption in defining Group II. In particular, the Examiner has incorrectly stated that the claims of Group II are "drawn to a

method of making a multi-layered interconnect structure without a metal core." Applicants note that claims 39-41 do not include a negative limitation that excludes a metal core from the multi-layered interconnect structure of claims 39-41. Accordingly, Applicants respectfully contend that the restriction is improper and should be withdrawn.

Should the Examiner require or request anything further from Applicants prior to examination, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below. Otherwise, Applicants request early and favorable examination on the merits.

Prompt and favorable examination on the merits is respectfully requested.

Date: 03/24/2004

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